



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

OCT 21 2013

SC-5J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Sidney and Charlene Tuchman  
Tuchman Cleaners  
c/o Richard S. VanRheenen  
Van Rheenen & Associates, PC  
2500 One America Square  
Indianapolis, Indiana 46282

Re: Inadequate Response to Request for Information Pursuant to Section 104(e) of CERCLA  
Tuchman Cleaners Site  
Indianapolis, Marion County, Indiana  
Site Spill Identification Number: B5ZU

Dear Mr. Tuchman:

On December 12, 2011, the U.S. Environmental Protection Agency issued an information request to you, pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. § 9604(e). The information request was served on Sidney Tuchman by certified mail on December 26, 2011. This information request required you to provide certain documents and information within fourteen (14) calendar days of receipt of the letter. You submitted a response to the information request on April 4, 2012.

Please be advised that EPA finds your response to items of EPA's information request to be deficient. In particular, you have not provided adequate information regarding your ability to reimburse EPA for cleanup costs. EPA requests that you provide copies of the tax returns you submitted to the Internal Revenue Service for the past five years. EPA also requests that you complete the Request for Transcript of Tax Return and the Individual Ability to Pay Claim forms enclosed. The forms must be returned to EPA with your original signature. Your response to these requests is due within fourteen (14) calendar days of receipt of this letter.

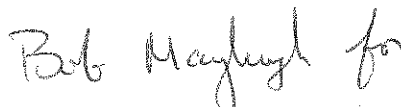
You may, if you desire, assert a business confidentiality claim described by 40 C.F.R. 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in C.F.R. Part 2, Subpart B. If no such claim accompanies the

information when it is received by the EPA, it may be made available to the public by EPA without further notice to you.

Continued failure to comply with EPA's information request by fully, truthfully and timely responding to all items of that request, or adequately justifying such failure to respond, may subject you to an enforcement action seeking to compel compliance and collect penalties of up to \$37,500 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5) and as adjusted by 69 Fed. Reg. 7121-27 (Feb. 13, 2004) (codified at 40 C.F.R. § 19.4) pursuant to the Debt Collection Improvement Act of 1996. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

Please contact Peter Felitti, Assistant Regional Counsel, at (312) 886-5114 if you have any legal questions regarding this matter. All other questions should be directed to Cheryl McIntyre, Enforcement Services Section 1, at (312) 886-1964 or her supervisor, Thomas Marks at (312) 353-6591.

Sincerely,

A handwritten signature in cursive script that reads "Bob Mayhugh for".

Sharon Jaffess, Chief  
Enforcement & Compliance Assurance Branch

Enclosures: Request for Transcript of Tax Return Form  
Individual Ability to Pay Claim Form

bcc: Peter Felitti, ORC (C-14J)  
Shelly Lam, (SE-5J) (SE-GI) (ME-W) (G-41)  
Carol Ropski, ESS 1 (SE-5J)  
Cheryl McIntyre, ESS 1 (SE-5J)  
Richard Hackley, PAAS (MF-10J)  
Records Center (SRC-7J)